REMARKS/ARGUMENTS

Claims 1-7, 9-18 and 20 are pending.

Various claim objections were raised.

Claims 15-20 were rejected under 35 U.S.C. Section 112, second paragraph on grounds of insufficient antecedent basis and alleged lack of clarity.

Claims 1, 2, 5-16, 19, and 20 were rejected under 35 U.S.C. Section 102 based on McGee et al. (U.S. Pat. No. 6,643,613).

Claims 3, 4, 17, and 18 were rejected under 35 U.S.C. Section 103 in view of McGee and Wilson et al. (U.S. Pat. No. 6,714,976).

Claim Objections

Objections were raised in connection with the following phrases:

- stored operating data
- identified operating data
- received operating data

for allegedly being grammatically incorrect. It was suggested that the adjectives "stored", "identified", and "received" should follow the noun being modified; thus:

- operating data stored
- operating data identified
- operating data received

Without conceding the merits of the objection, all of the claims have been reviewed and amended accordingly.

An objection to claim 20 was raised as to the recitation of "computer readable medium" for alleged lack of clear support or antecedent basis in the description of the instant specification. The undersigned respectfully disagrees.

In paragraph [0035] of the specification as filed, a description of "the program" 1101 (Fig. 1) is given. The figure clearly shows program 1101, referred to as a computer module, is stored in a data storage device 1701. The figure clearly shows the CPU 1702 executes the computer module 1101. Paragraph [0036], in fact, explicitly discloses "memory media." The undersigned earnestly submits that the data storage device 1701 clearly supports

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and provides antecedent basis in the description for the recited "medium" and that CPU 1702 clearly supports and provides antecedent basis in the description for a "computer readable medium." Reconsideration of the objection is respectfully requested.

Section 112 Rejections

Claims 15 and 20 were rejected for lack of antecedent basis for "the communicating device." Claims 15 and 20 have been amended to cancel this language. The Section 112 rejection of claims 15 and 20 is believed to be overcome.

Claim 17 was rejected for being unclear as to "an event" and "a portion of the operating data." As to "an event", this phrase in claim 17 has been amended to "the event."

As to "a portion of the operating data," it is respectfully noted that the examiner appears not to have correctly parsed this phrase as it is recited in claim 17, and in claim 15 from which claim 17 depends. In claim 15, the recited limitation is correctly parsed as "a portion of the operating data which relates to the event." This is consistent with the fact that in claim 16 the limitation is recited as "the portion of the operating data which relates to the event." In claim 17, the recited limitation is correctly parsed as "a portion of the operating data which is received from the monitoring object" because it is something different from "a portion of the operating data which relates to the event" recited in claim 15. The Section 112 rejection of claim 17 is believed to be overcome.

Claim 19 was rejected for being unclear as to "a portion of the operating data." Claim 19 has been amended to recite "the portion of the operating data which relates to the event," which finds its antecedent basis in claim 15. The Section 112 rejection of claim 19 is believed to be overcome.

Reconsideration of the Section 112 rejections is respectfully requested.

The Claimed Invention

The present invention as recited in the pending claims relates to monitoring program objects and managing events detected during operation of the program objects. In particular, when an event for a monitored program object indicates an error condition, operating

data for that program object is stored to a storage device. If the event does not indicate an error condition, then the corresponding operating data is not stored to the storage device.

Figs. 1 and 2 in the instant applicant illustrate an example embodiment of the present invention. Examples of program objects that are monitored are identified in Fig. 1 as "monitoring objects" 1001, 1002, 1003 which execute in an object computer 1201. See generally paragraphs [0028-0032] in specification as originally filed. Module 1102 is an event generating module to generate events that occur during operation of the monitoring objects 1001-1002, while module 1104 obtains operating data from the respective monitoring objects corresponding to the events.

The events and corresponding operating data are sent from the object computer 1201 to a monitoring computer 1203. In an embodiment of the pending claims, the monitoring computer identifies error-indicating events and stores the corresponding operating data to the storage device. In another embodiment of the pending claims, the object computer 1201 sends only those events which indicate errors and their corresponding operating data to the monitoring computer 1203.

Fig. 2 shows a flow chart of the processing according to the present invention.

For convenience of reference, the pending claim sets are:

- independent claim 1 and dependent claims 2-6
- independent claim 7 and dependent claims 9 and 10
- independent claim 11
- independent claim 12 and dependent claim 13
- independent claim 14
- independent claim 15 and dependent claims 16-18
- independent claim 20

Section 102 Rejections

1.   Claims 1, 7, 12, 15, and 20

Claim 1 as amended recites in part:

... a memory to store the operating data received by the communication device;
a storage device; and ...
wherein when the event indicates an occurrence of trouble or a degradation in
performance of the monitoring object, then the operating data received is stored in the
storage device,

> wherein when the event does not indicate an occurrence of trouble or a
> degradation in performance of the monitoring object, then the operating data received is
> not stored in the storage device.

See also similarly amended independent claims 15, and 20. Similarly amended claims 7 and 12 recite "operating data buffer" and "data storage."

McGee does not show the foregoing combination of limitations. For example, he Office action had cited McGee's Fig. 14 for allegedly showing an operating data buffer (1406, 'recent metric data collector') and data storage (1410, 'correlation pair graph'). However, a review of Fig. 14 does not reveal that the operating data corresponding to events that indicate an error are stored in a data store, while operating data corresponding to event that do not indicate an error are not stored in the data store.

The figure shows that the data collected by 1406 feeds to a correlation module 1408 to produce correlation pairs. See generally the discussion beginning at column 20, line 53. A review of McGee's explanation of the correlation module 1408 does not reveal any determination whether an event indicates an error and then outputting information based on that determination. In fact, the output of the correlation module 1408 are pairs of data that have some correlative value, they are not the recited operating data of the program objects being monitored, namely the recited "monitoring object." McGee therefore does not teach:

> wherein when the event indicates an occurrence of trouble or a degradation in
> performance of the monitoring object, then the operating data received is stored in the
> storage device,
> wherein when the event does not indicate an occurrence of trouble or a
> degradation in performance of the monitoring object, then the operating data received is
> not stored in the storage device

and so the Section 102 rejection of claims 1, 7, 12, 15, and 20 and their respective dependent claims is believed to be overcome. Reconsideration of the Section 102 rejection is respectfully requested.

2.   Claims 11 and 14

Independent claim 11 recites in part:

> ... wherein when the event indicates trouble occurrence or performance
> decrement, then the operating data identified is transmitted to the management computer,

> wherein when the event does not indicate trouble occurrence or performance
> decrement, then the operating data identified is not transmitted to the management
> computer; ...

See also independent claim 14.

Claims 11 and 14 are directed to transmission of operating data to a management computer. These claims recite similar limitations insofar as the transmitting is <u>selective</u>, being based on whether the event indicates trouble or degradation in performance. Fig. 14 of McGee was cited. However, a review of Figs. 1 and 14 and the accompanying text shows that the metric data (identified in the Office action as corresponding to "operating data") is always sent to the metric analysis unit 104. Therefore, McGee does not teach selective transmission of data and thus does not teach:

> ... wherein when the event indicates trouble occurrence or performance
> decrement, then the operating data identified is transmitted to the management computer,
> wherein when the event does not indicate trouble occurrence or performance
> decrement, then the operating data identified is not transmitted to the management
> computer; ...

The Section 102 rejection of claims 11 and 14 and their respective dependent claims is overcome.

Section 103 Rejections

Dependent claims 3, 4, 17, and 18 are deemed allowable based on the allowability of their respective base claims. As explained above, McGee does not teach:

> wherein when the event indicates an occurrence of trouble or a degradation in
> performance of the monitoring object, then the operating data received is stored in the
> storage device,
> wherein when the event does not indicate an occurrence of trouble or a
> degradation in performance of the monitoring object, then the operating data received is
> not stored in the storage device.

Wilson fails to remedy this lacking in the McGee reference. For example, Fig. 2 of Wilson identifies an event correlation processor 64. Wilson explains in column 6, lines 1-14 that the correlation processor correlates events and generally generates information representative of business transactions. There is no discussion that would teach or even suggest the foregoing limitation.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

/George B. F. Yee/

George B. F. Yee
Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
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